

# News Release

# Senator Pete V. Domenici

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FOR IMMEDIATE RELEASE

MAY 11, 2000

## DOMENICI STATEMENT ENDORSING HOUSE PASSAGE OF BACA RANCH BILL

### Senator Stresses Reforms in Bill to Authorize N.M. Land Purchase

WASHINGTON -- U.S. Senator Pete Domenici was scheduled to address the House Resources Committee Thursday as it considered H.R.3288, the Valles Caldera Preservation Act and the Federal Land Transaction Facilitation Act.

However, he ended up only submitting his statement to the committee and joined Federal Emergency Management Administration and others to travel to the Cerro Grande Fire site in northern New Mexico to assess ongoing fire damage there.

In the following statement to the committee, Domenici enthusiastically endorses the federal purchase of the Baca Ranch in the Jemez Mountains. He also endorsed the innovative trustee management structure for future management of the ranch, as well as the sweeping land management reforms authorized in H.R.3288 and its companion bill in the Senate, S.1892. The Senate passed S.1892 on April 5.

Statement of Senator Pete V. Domenici  
before the House of Representatives  
Committee on Resources

Hearing on H.R.3288, the Valles Caldera Preservation Act  
and Federal Land Transaction Facilitation Act  
May 11, 2000

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Thank you Mr. Chairman, for inviting me to address the Committee on H.R. 3288, the Valles Caldera Preservation Act and Federal Land Transaction Facilitation Act.

It has been a long process, in which I have been very involved personally over the last several years to get this legislation to this point. In short, Mr. Chairman, this is a good bill. It is not only very important for New Mexico, it is good for public land management throughout the West.

Quite frankly, I would not be here supporting Federal acquisition of almost 100,000 acres in New Mexico, except for four facts:

- 1.) Under this bill, the Baca will be managed by an independent Board of Trustees, the majority of which will be private citizens;
- 2) The Trust will not be encumbered by the same unworkable planning process that has plagued National Forest management over the years;
- 3) The ranch will be allowed to generate the income needed to support its own operation; and additionally
- 4) This bill provides the means for an orderly process allowing the Bureau of Land Management to dispose of several million acres it has determined are not in the public's interest for it to own and manage.

The first point is a most exciting prospect to me. The Valles Caldera Trust will be a new working model for public land and resource management for the entire country to see. I do not contend that this bill contains all of the answers to public land management problems today. In fact, this specific model may not be appropriate anywhere else. It will, however, provide a great deal of insight into a potentially better way to do things.

Environmentalists, public land users, and many in Congress contend that our public lands are poorly cared for by the Federal land management agencies. Title I is an opportunity to think "outside the box" of bureaucratic inertia that has evolved over decades of confrontation and litigation.

Second, this Trust will not have its hands tied by the time-consuming, and sometimes irrelevant, planning process imposed on the Forest Service, which is often driven by litigation. This bill does not rewrite or repeal any of the laws dating back to the 1870s which govern National Forest management, but it does allow us to see whether land might be managed better without one of them.

In my view, the law that most often ties the Forest Service up in knots is the Forest and Rangeland Renewable Resources Planning Act, as amended by the National Forest Management Act. By exempting the Valles Caldera Trust from this law, we are saying that we believe there is a better way to manage federal land. By entrusting the Baca Ranch to an autonomous body of experts, rather than to a myriad of planning rules and regulations, we are saying that a group of smart, caring people can and will make good decisions, given the opportunity.

Third, the Trust will have the flexibility to generate income that will be used to offset some or all of the cost of operating the Preserve. Too often, administrations and Congress are eager to establish new places for the public to enjoy, without considering how we keep up with the cost of operating and maintaining our existing public lands and facilities.

This bill provides that all of the income generated on the Valles Caldera Preserve will be available to the trust to lessen the burden of its operation on the American taxpayer. The bill sets a goal that over a relatively short period of time the Preserve will become operationally self-sustaining.

This does not mean that the Trust must exploit every resource in order to make a profit, as some may contend. To the contrary, this bill makes it perfectly clear that the Trust must balance the goal of paying its own bills on the mandates it has for resource protection and multiple use. In that context, it is given the authority to charge fees and generate income solely to reduce or possibly eliminate the need for Federal appropriations.

Mr. Chairman, Title II is the fourth and final component of this legislation that I have insisted all along must be included in this bill. This two-part program will provide not only direction for Federal land managers to correct problems associated with awkward land ownership patterns, it will provide them with new resources to accomplish these goals.

The first part of this new policy involves the sale or exchange of BLM land that is already identified as "suitable for disposal." It relies on existing BLM authority to convey land out of Federal ownership, and creates a revolving fund within the Treasury for the deposit of receipts generated from the disposal of public land. Those receipts will then be available to the BLM to offset the costs associated with additional land disposal, and to acquire land within designated areas, from willing sellers, to improve the management of public and private land holdings.

For those who may be concerned that willing sellers may not in fact be all that willing, section 204 provides that no land will be considered unless the landowner provides notice to the agency of a desire to sell.

In addition, the Secretaries of the Interior and Agriculture are directed to establish a priority system for land purchases, based on the amount of time the tract has been held within the designated area and management efficiency. Many in the West recognize the management nightmares federal agencies face in "checkerboard areas," for example. Mr. Chairman, I believe that Title II creates a new tool that Federal managers may use to be more effective and efficient.

Mr. Chairman, as I stated at the beginning of my remarks, it has been a long and arduous process that has gotten us to this point. I think it would be helpful for this Committee to understand how we got here. The current owners of the Baca ranch approached the New Mexico congressional delegation regarding federal acquisition in January 1997. In October 1997, Senator Bingaman introduced legislation to incorporate the Baca Ranch into the Santa Fe National Forest, which I did not support for some of the reasons I have already stated.

I approached President Clinton personally on this issue in July 1998. I said that I could support the federal acquisition of the Baca only if we could agree that it would not be managed under current Federal agency policy. I proposed the idea of an autonomous trust, established to ensure that the character and traditional uses of this working ranch would be preserved. I also insisted that we address the disposal of millions of acres of BLM land that the agency has determined is not of benefit to the public under Federal management.

The President was very interested in my proposal, and we set out together to draft a bill that met a set of agreed-upon principles. In October, 1998, I introduced a consensus bill, supported by the President, Senator Jeff Bingaman, Representative Heather Wilson, and then Representative Bill Redmond. The 105th Congress adjourned before action could be taken on that bill.

The House bill before you is that bill with some minor technical changes. The Senate bill, S. 1892, has additional technical changes, and three modifications to address issues that have come to light since it was first introduced.

In the beginning, I knew that I could not support acquisition of nearly 100,000 acres in the heart of New Mexico's Jemez Mountains, just to turn it over to well-intentioned people who through no fault of their own are ill-equipped to manage under the morass of today's Forest Service bureaucracy and litigation. Today, however, I am convinced that we cannot pass up this opportunity to demonstrate that innovative land management can produce positive results. The Valles Caldera Preservation Act and Federal Land Transaction Facilitation Act is the result of a lot of hard work by a number of people with a firm commitment to improving the way Federal lands will be managed in the future.

I know this Committee will give our legislation thorough consideration. It has my wholehearted support, and I urge its adoption with all deliberate speed.